

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
PROPOSED REGULATORY LANGUAGE

Underlined text is originally proposed new language.

Adopt California Code of Regulations, Title 16, Division 39, Sections 4160, 4161, 4162, and 4163 as follows:

Article 7. Continuing Competency Requirements

§ 4160. Definitions

For the purpose of this section:

- (a) “Continuing competency” means an ongoing process in which an occupational therapy practitioner maintains the knowledge, skills, and abilities necessary to perform his or her professional responsibilities.
- (b) “Continuing education unit (CEU)” is an assigned unit of measure for each professional development activity.
- (c) “Professional development activity” means an activity (except participation in a course of study leading to an entry-level academic degree or normal and routine employment responsibilities) engaged in subsequent to professional education, primarily concerned with maintaining and increasing the occupational therapy practitioner’s knowledge, skill and ability.
- (d) “Professional development unit (PDU)” is an assigned unit of measure for each professional development activity.
- (e) “Level II occupational therapy and occupational therapy assistant students” are those participating in the fieldwork requirements of the entry-level academic degree program.

Note: Authority cited: Sections 2570.10 and 2570.20, Business and Professions Code.
Reference: Section 2570.10, Business and Professions Code.

§ 4161. Continuing Competency

- (a) Effective January 1, 2005, each occupational therapy practitioner renewing a license or certificate under Section 2570.10 of the Code shall submit evidence of meeting continuing competency requirements by having completed, during the preceding renewal period,
twelve (12) PDUs acquired through participation in professional development activities.
 - (1) Fifty (50) minutes of participation in a professional development activity qualifies for one PDU;

- (2) One (1) academic credit equals 10 PDUs;
- (3) One (1) Continuing Education Unit (CEU) equals 10 PDUs.
- (b) Professional development activities acceptable to the board include, but are not limited to, programs or activities sponsored by the American Occupational Therapy Association (AOTA) or the Occupational Therapy Association of California; post-professional coursework completed through any approved or accredited educational institution that is not part of a course of study leading to an academic degree; or otherwise meet all of the following criteria:
 - (1) The program or activity contributes directly to professional knowledge, skill, and ability;
 - (2) The program or activity relates directly to the practice of occupational therapy; and
 - (3) The program or activity must be objectively measurable in terms of the hours involved.
- (c) PDUs may also be obtained through any or a combination of the following:
 - (1) Involvement in structured special interest or study groups with a minimum of three (3) participants. Three (3) hours of participation equals one (1) PDU.
 - (2) Structured mentoring with an individual skilled in a particular area. For each 20 hours of being mentored, the practitioner will receive three (3) PDUs.
 - (3) Structured mentoring of a colleague to improve his/her skills. Twenty (20) hours of mentoring equals three (3) PDUs.
 - (4) Supervising the fieldwork of Level II occupational therapy and occupational therapy assistant students. For each 240 hours of supervision, the practitioner will receive two (2) PDUs.
 - (5) Publication of an article in a non-peer reviewed publication. Each article equals five (5) PDUs.
 - (6) Publication of an article in a peer-reviewed professional publication. Each article equals 10 PDUs.
 - (7) Publication of chapter(s) in occupational therapy or related professional textbook. Each chapter equals 10 PDUs.
 - (8) Making first time professional presentations at workshops, seminars and conferences. For each hour, the practitioner will receive two (2) PDUs.
- (d) This section shall not apply to the first license or certificate renewal following issuance of the initial license or certificate.
- (e) Of the 12 PDUs required for each renewal period, a minimum of six (6) units must be directly related to the delivery of occupational therapy services.
 - (1) The delivery of occupational therapy services may include: models, theories or frameworks that relate to client/patient care in preventing or minimizing impairment, enabling function within the person/environment or community context. Other activities may include, but are not limited to, occupation based

theory assessment/interview techniques, intervention strategies, and community/environment as related to one's practice.

Note: Authority cited: Sections 2570.10 and 2570.20, Business and Professions Code.
Reference: Section 2570.10, Business and Professions Code.

§ 4162. Completion and Reporting Requirements

- (a) The occupational therapy practitioner shall record the following information for each activity on the renewal form:
 - (1) the date each course or activity was completed;
 - (2) the provider, course number, and course title, if applicable;
 - (3) a description of the course; and
 - (4) the total number of PDUs.
- (b) Records showing participation in each professional development activity must be maintained by the occupational therapy practitioner for four (4) years following the renewal period.
- (c) A maximum of three (3) PDUs in excess of the required 12 PDUs may be carried over to the next renewal period.
- (d) Any occupational therapy practitioner who is unable to provide records documenting completion of the continuing competency requirements is subject to citation and/or administrative fine or disciplinary action.

Note: Authority cited: Sections 2570.10 and 2570.20, Business and Professions Code.
Reference: Section 2570.10.

§ 4163. Exemption from Continued Competency Requirements

At the time of applying for renewal of a license or certificate, an occupational therapy practitioner may request an exemption from the continuing competency requirements.
The renewal application must provide the following information:

- (a) Evidence that during the renewal period prior to the expiration of the license or certificate, the practitioner was residing in another country for one year or longer, reasonably preventing completion of the continuing competency requirements; or
- (b) Evidence that the practitioner was absent from California because of military service for a period of one year or longer during the renewal period, preventing completion of the continuing competency requirements; or
- (c) Evidence that the practitioner should be exempt from the continuing competency requirements for reasons of health or other good cause which include:
 - (1) Total physical and/or mental disability for one (1) year or more during the renewal period and the inability to work during this period has been verified by a licensed physician or surgeon or licensed clinical psychologist; or
 - (2) Total physical and/or mental disability for one (1) year or longer of an immediate family member for whom the practitioner had total responsibility,

as verified by a licensed physician or surgeon or licensed clinical psychologist.

Note: Authority cited: Sections 2570.10 and 2570.20, Business and Professions Code.
Reference: Sections 2570.10 and 2570.11, Business and Professions Code. Sections 4120, 4122 and 4130, California Code of Regulations.

Dated: _____

Gretchen Kjose, Executive Officer